IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
APPEAL FROM ORDER NO.757 OF 2005

Dinesh Parmar Appellant

Vs.

Bombay Municipal Corporation & ors. Respondents

Mr.Sanjay Bhatia with Ms.Rekha Shinde for appellant.
Mrs.Geeta Jogalekar for respondent.

CORAM: B.H.MARLAPALLE,J.
August 03, 2005.

ORAL ORDER:

. By the impugned order the trial Court noted that the subject air-conditioner which was allegedly causing nuisance to the neighbouring occupants was already removed from the place where it was installed and, therefore, there was no case made out to grant ad-interim relief. The Notice of Motion was adjourned to 10-6-2005.

. The learned counsel for the appellant now contends that the air-conditioner has been reinstalled and he apprehends that it may be again removed. It is for the trial Court to consider these aspects while deciding the pending Notice of Motion and this appeal need not be entertained at this stage.

. The appeal is dismissed in limine. Hearing of the Notice of Motion is expedited.

(B.H.MARLAPALLE,J.)